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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,283	09/26/2003	Fumihiko F.S. Sato	242804US-2 CONT	6508

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.		
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ALEXANDRIA, VA 22314		

EXAMINER	
PARKER, BRANDON	

ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
07/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/670,283	Applicant(s) SATO, FUMIHIKO F.S.	
	Examiner Brandon Parker	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The examiner acknowledges the applicant's submission on 05/07/2007, wherein claims 17-18 remain pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertram et al (US Patent 5,818,446) Bertram hereinafter

With respect to claim 17

- Bertram teaches a user interface system, for displaying an operation menu (Fig. 1 Drawing) and transferring contents of said operation menu based on an operation input received (i.e. content received) in response to the operation menu being selected (i.e. selecting a predefined user interface), comprising: (loading/transferring Bertram Claim 1).
- a processor configured to execute a process requirement corresponding to the operation input; (Claim 6). Note: The network browser application loaded into the memory is viewed as the operation input it is being executed by the processor.
- a group of independent software objects configured to display the operation menu and to transfer the contents of said operation menu in response to the operation menu being

selected, said group of independent software objects including: (software processes, user interfaces/independent software objects load/transfer, Bertram Claim 1)(Abstract)

- a menu flow software object configured to control the transfer of the contents of the operation menu (content transition, Col. 7 lines 8-10)
- an operation software object separate (79, suspended interface, Fig. 4B Drawing) from the menu flow software object (i.e. selection control facility) and functioning in cooperation with the menu flow software object (i.e. selection control facility) to control processing of the operation input (Col. 7 lines 40-44) by the processor to create, change, and delete the input operation (86, Fig. 4B Drawing). **Note:** By passing all content request to the new user interface, the suspended interface (i.e. operation software objects) is functioning with the selection control facility (i.e. menu flow software object) and determines if the standard interface may or may not have contents to pass to it and the screen will appear (Col. 7 lines 54-57).

Claim 18 is similar in scope to claim 17 and is therefore rejected under similar rationale.

Response to Arguments

With the amendments made, the U.S.C. § 112 rejections and the objection to the specification are withdrawn. The terminal disclaimer has been reviewed and accepted; the obvious-type double patenting rejection is withdrawn.

Applicant's remarks regarding Bertram failing to anticipate independent claims 17 and 18 have been fully reconsidered but are not persuasive.

Applicant argues Bertram fails to disclose a teaching of “functioning in cooperation with the menu flow object to control processing of the operation input by the processor and to create, change, and delete the input operation.” In response, by passing all content request to the new user interface, the suspended interface (i.e. operation software objects) is functioning with the selection control facility (i.e. menu flow software object) and determines if the standard interface may or may not have contents to pass to it and the screen will appear (Col. 7 lines 54-57). It is understood that the “queued content” in a suspended interface will work together (i.e. in cooperation) with the “new interface” for display.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

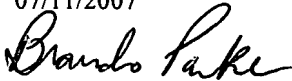
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Parker whose telephone number is 571-270-1302. The examiner can normally be reached on Monday thru Friday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-270-2302.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP
07/11/2007Brandon Parker
Patent Examiner
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